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**IN THE
COURT OF APPEALS OF INDIANA**

ADAM DIAZ,)	
)	
Appellant-Plaintiff,)	
)	
vs.)	No. 48A05-0604-CV-193
)	
SUPERINTENDENT, PENDLETON)	
CORRECTIONAL FACILITY,)	
)	
Appellee-Defendant.)	

APPEAL FROM THE MADISON SUPERIOR COURT
The Honorable Dennis D. Carroll, Judge
Cause No. 48D01-0601-MI-8

April 19, 2007

MEMORANDUM DECISION - NOT FOR PUBLICATION

KIRSCH, Judge

Adam Diaz appeals the dismissal of his verified petition for writ of habeas corpus and

raises three issues, of which we find one dispositive: whether the trial court lacked subject matter jurisdiction to review his prison disciplinary proceedings.¹

We affirm.

FACTS AND PROCEDURAL HISTORY

Diaz, an inmate at the Pendleton Correctional Facility, violated a prison rule. The Department of Correction (“DOC”) found that Diaz violated an adult disciplinary code that prohibits: “committing battery upon another person with a weapon (including the throwing of body fluids or waste on another person) or inflicting serious injury.” *Appellant’s Brief* at 3. As punishment for his misconduct, Diaz was deprived of two years of earned good-time credit and was placed in disciplinary segregation for fourteen months. The DOC prohibited restoration of credit time as a result of finding a violation of this disciplinary code.

Diaz filed a verified petition for writ of habeas corpus alleging that he was deprived of earned credit time for disciplinary violations of the DOC. Diaz requested immediate release from prison through restoration of the two years he lost as a result of the disciplinary violation. The trial court dismissed Diaz’s complaint, concluding that it lacked subject matter jurisdiction. Diaz now appeals.

DISCUSSION AND DECISION

Diaz asserts that the trial court improperly dismissed his verified petition for writ of habeas corpus. He specifically claims that he did not violate the disciplinary code and that

¹ Diaz also argues that the DOC disciplinary policy is unconstitutional and violates Indiana statutory law and the due process clause. However, he does not develop or support these arguments. “The argument must contain the contentions of the appellant on the issues presented, supported by cogent reasoning. Each contention must be supported by citations to the authorities.” Indiana Appellate Rule 46(a). Diaz has waived

his credit time should be restored. He asserts that the court has subject matter jurisdiction because he is seeking immediate release from prison and not merely a review of DOC disciplinary proceedings.

“DOC inmates have no common law, statutory, or federal constitutional right to review in state court DOC disciplinary decisions.” *Blanck v. Ind. Dep’t. of Corr.*, 829 N.E.2d 505, 507 (Ind. 2005). Absent statutory authorization, Indiana courts have declined to review a decision of a penal institution to take away an inmate's good-time credit for a prison infraction. *Zimmerman v. State*, 750 N.E.2d 337, 338 (Ind. 2001). The current system of administrative review by policy makers and executive officers within the DOC establishes a fair procedure to resolve disputes, one adequate under due process. *Id.*

Here, Diaz is attempting to challenge the prison disciplinary proceedings that deprived him of his credit time. “[G]ranting or denying credit time is an administrative responsibility of the DOC.” *Campbell v. State*, 714 N.E.2d 678, 685 (Ind. Ct. App. 1999). Thus, the trial court properly dismissed Diaz’s petition for writ of habeas corpus because the trial court lacked subject matter jurisdiction to review the DOC disciplinary proceedings.

Affirmed.

RILEY, J., and FRIEDLANDER, J., concur.

appellate review of these issues. *See Diaz v. State*, 753 N.E.2d 724, 728 (Ind. Ct. App. 2001), *trans. denied* (stating that a party who fails to develop a cogent argument waives that issue on appeal).